

UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

MOHAMMAD TAJBIR HASAN,

No. 1:20-cv-00554-DAD-JDP (HC)

Petitioner,

V.

DAVID JENNINGS, *Director of the San Francisco Field Office of U.S. Immigration and Customs Enforcement, et al.*, Respondent.

ORDER DIRECTING THE CLERK OF THE
COURT TO CLOSE THIS CASE

(Doc. No. 5)

On April 20, 2020, petitioner Mohammad Tajbir Hasan provided the court with notice that he was voluntarily dismissing this action without prejudice. (Doc. No. 5.) In light of petitioner providing this notice before an answer or motion for summary judgment was filed, the court acknowledges his voluntary dismissal of this action without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). *See Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997) (“Under Rule 41(a)(1), a plaintiff has an absolute right to voluntarily dismiss his action prior to service by the defendant of an answer or a motion for summary judgment.”) (citations omitted).

Accordingly, the Clerk of the Court is directed to close this case and to reflect the voluntary dismissal of this action pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: April 27, 2020

Dale A. Droyd
UNITED STATES DISTRICT JUDGE

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